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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10-075,831	02.12.2002	James Edward Cannon	10010895-1	9009

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AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
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EXAMINER

LEA EDMONDS, LISA S

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 07/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/075,831

Applicant(s)

CANNON, JAMES EDWARD

Examiner

Lisa Lea-Edmonds

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 12 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "110" has been used to designate both support bar and support arm; and reference character "17" has been used to designate both support tab slot and lateral face. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 8, 10, and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Where applicant acts as his or her own lexicographer to specifically define a term of a claim contrary to its ordinary meaning, the written description must clearly redefine the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to so redefine that claim term. *Process Control Corp. v. HydReclaim Corp.*, 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999). The term "lance" in claims 8, 10, and 18, is used by the claim to mean "a wall or protruding member", while the accepted meaning is "a thrusting weapon with a lone wooden shaft and a sharp metal head." The term is indefinite because the specification does not clearly redefine the term.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary

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skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, 9, 11-17, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin et al. (6229696) in view of Liao (6256195). With respect to claims 1-7, 9, and 11-16, Lin et al. teaches a bracket (10) for attaching a computer component (3) within a bay of a chassis (2) of a computer said chassis comprising: a first face having a chassis face aperture therein, a second face, and a support bar slot configured on said second face, said bracket (10) comprising: a bracket body (14) comprising an aperture therein; a support bar (12) extending from said bracket body (14); a tab (32) protruding from said support bar (12); and a fastener (70) for fastening said bracket (10) to said computer component (3) when said computer component (3) is seated within said bracket body aperture at a predetermined cross-sectional portion of said computer component (3) such that a front panel of said computer component (3) aligns within said chassis face aperture when said peripheral device is fastened to said bracket (10), said tab (32) is seated in said support bar slot, and said bracket (10) is pivoted towards said first face of said chassis (2) such that said support bar (12) is normal to said first face of said chassis, wherein: said bracket body aperture is form-fitted to said predetermined cross sectional portion of said computer component (3), wherein: said chassis face aperture is form-fitted to said front panel of said computer component (3), wherein: said second face of said chassis (2) comprises a face opposite to said first face, wherein: said second face of said chassis (2) comprises a face adjacent to said first face, wherein: said bracket body (14) abuts against said first face of said chassis when said bracket (10) is properly seated in said bay to thereby prevent electromagnetic radiation from escaping said bay through said chassis face aperture as claimed. However, Lin et al. lacks a teaching of the computer component (3) being a peripheral device as claimed. The apparatus of Liao is relied upon for its teaching of a bracket (20) for attaching a peripheral device (60) as claimed (see for example figure 1). It would have been obvious to one of ordinary skill in the art to incorporate the teachings of Liao into the apparatus of Lin et al., as a peripheral device is a computer component. With respect to the method claims 17, 19 and 20, the apparatus of Lin et al. in view of Liao teaches the method steps as claimed.

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Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please note the attachment brackets of Ho (5940265), Gan (6469890), Liu (5306079), Wong et al. (5224019), and Xanthopoulos (5600538).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Lea-Edmonds whose telephone number is 703-305-0265. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 703-308-4815. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3431 for regular communications and 703-305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-1782.

Lisa Lea-Edmonds
Examiner
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July 11, 2003